

Community Development Department Planning Division 12725 SW Millikan Way /PO Box 4755 Beaverton, OR 97076 General Information: (503) 526-2222 V/TDD www.BeavertonOregon.gov

#### STAFF REPORT

STAFF REPORT DATE:

July 19, 2017

**HEARING DATE:** 

July 26, 2017

TO:

Planning Commission

FROM:

Scott Whyte, AICP, Senior Planner

PROPOSAL:

Denney Road Commerce Center (case files CU2017-0006,

CU2017-0007 and DR2017-0040)

LOCATION:

Properties are generally located south of SW Denney Road and west of Highway 217 and are addressed as 10740, 10750 and 10760 SW Denney Road and identified as Tax Lots 300, 301 and

303 on Washington County Assessor's Map 1S1-22DA.

ZONING / NAC:

Industrial (IND) / Vose NAC

SUMMARY:

The applicant, Denney Road Industrial Park, LLC, proposes to renovate an existing industrial park. Design Review Three approval is requested for exterior remodel of five existing buildings and for site modifications proposed to the parking and landscape areas. The renovation proposal also converts a portion of one industrial building to self-storage use and introduces new covered vehicle storage along the south and west portions of the property. In the city Industrial (IND) zone, selfstorage and vehicle storage are identified as two separate uses, Accordingly, the each requiring Conditional Use approval. applicant requests approval for two conditional use uses in concert with the site renovation proposal which is subject Design

Review Three approval.

APPLICANT/

VLMK Engineers and Design

REPRESENTATIVE:

3933 SW Kelly Avenue

Portland, OR 97239

PROPERTY OWNERS:

Denney Road Industrial Park, LLC

1121 SW Salmon Street, Suite 500

Portland, OR 97205

RECOMMENDATION:

APPROVAL of Denney Road Commerce Center (case files

CU2017-0006, CU2017-0007 and DR2017-0040) subject to

conditions identified at the end of this report.

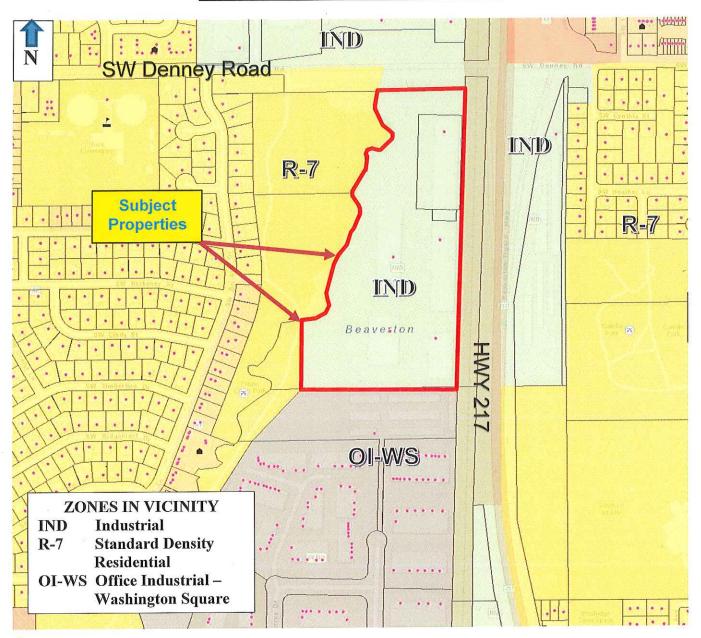
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Exhibit 3: Public Agency Communication/ Comments Exhibit 3.1 Tualatin Valley Fire & Rescue letter dated June 7, 2017	Exhibits by #
Exhibit 4: Public Testimony / Comments  No public testimony / comments have been received to date.	No Exhibits

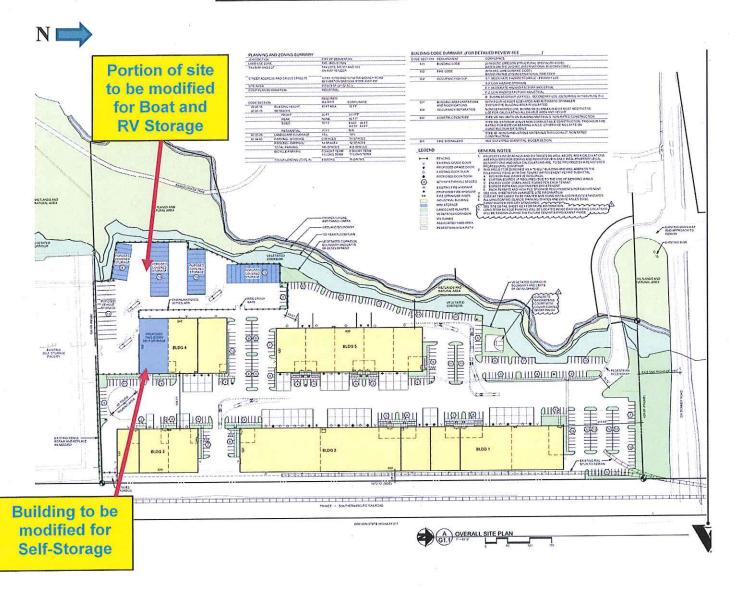
# **Aerial and Vicinity Map**



# **Existing Beaverton Zoning and Tax Lots**



### **Denney Road Commerce Center Site Plan**



See Sheet G1.1 of the applicant's plan set for larger text.

#### **BACKGROUND FACTS**

#### **Key Application Dates**

Application	Submittal Date	Deemed Complete	Final Written Decision Date	240-Day
CU2017-0006	May 5, 2017	May 31, 2017	September 28, 2017	January 26, 2018
CU2017-0007	May 5, 2017	May 31, 2017	September 28, 2017	January 26, 2018
DR2017-0040	May 5, 2017	May 31, 2017	September 28, 2017	January 26, 2018

#### **Existing Conditions Table**

Zoning	Industrial (IND)		
Current Development	Industrial Complex		
Site Size & Location	The site is bounded by SW Denney Road to the north, Highway 217 and rail lines to the east. Fanno Creek natural area is located to the west. The site is approximately 19.75 acres.		
NAC	Vose		
Surrounding Uses	Zoning: North: Industrial South: Office Industrial – Washington Square  East: Industrial	North: Industrial - Varied  South: Self-Storage  East: ODOT Rail and Highway 217	
	<u>West</u> : R7 Standard Density Residential	West: Fanno Creek Greenway	

# **Project Overview**

The applicant, Denney Road Industrial Park, LLC, proposes to renovate an existing industrial complex. According to the applicant, the proposed renovation project is designed to attract a wider array of tenants. Two phases have been identified for this proposal. For the first phase, the applicant intends to remodel the front facades of five existing buildings on-site. The proposed remodel introduces three new paint schemes to these buildings. The proposed building remodel also introduces new architectural features that include cornices applied to the top of the existing walls and new canopies along most of the building entrances. During the first phase, the applicant introduces a new parking lot striping and circulation plan which includes landscape islands.

Phase two of the renovation proposal converts a portion of one industrial building to self-storage use and introduces new covered vehicle storage along the south and west portions of the complex. These use changes are specific to the Conditional Use applications as requested.

# FACILITIES REVIEW COMMITTEE TECHNICAL REVIEW AND RECOMMENDATIONS Denney Road Commerce Center CU2017-0006, CU2017-0007 and DR2017-0040

### Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the Planning Commission. In turn, the Planning Commission will determine whether the proposal meets the Facilities Review approval criteria and may choose to adopt, not adopt, or modify the Committee's findings and conditions.

Criteria of Section 40.03 are identified below, with findings of fact in response to the applicant's plans and materials.

A. All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.

Findings of Fact: Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation and fire protection. In response to the Criterion A, the applicant explains how domestic water and sanitary sewer services are currently provided to the subject properties extending from existing lines located within SW Denney Road. No changes to these critical facilities are proposed. The applicant also explains how the existing on-site storm water treatment system will be upgraded as required by Clean Water Services (CWS). The applicant further describes the proposed storm water system to consist of filtration catch basins and vaults. The applicant also explains how these upgrades will convey water to existing outfalls into Fanno Creek (abutting). The filtration catch basin / vault system is also shown to Sheet A3 of the applicant's plan set.

The City Site Development Engineer has reviewed the proposal and finds in support of the applicant's storm water treatment updates. The City Site Development Engineer has also proposed certain conditions of approval to ensure the new system has adequate capacity to serve the proposed renovation project at the time of its completion. These conditions are identified at the end of this report.

The City Traffic Engineer has also reviewed the proposal. In this case, the City Traffic Engineer observes the scope of work to entail renovation of existing buildings inside an existing industrial complex. With exception to the one building subject to Conditional Use approval, the same occupancy group (Building Code) and use identified by the Development Code (industrial) is expected to remain the same. Staff notes that the renovation proposal will convert a portion of one industrial building into self-storage. The proposal also introduces new covered vehicle storage (large recreational vehicle/boat canopies) along the south and west portions of the project site. These storage structures will be constructed within existing paved portions of the property, above the 100-year floodplain where identified on-site. While the scope of this proposal includes new paving for parking and landscape improvements and conversion of one building to the self-storage

use, these improvements are not expected to add more than 40 average daily vehicle trips (ADT) to the property. The City Traffic Engineer therefore finds the proposal does not warrant Traffic Impact Analysis as described in Section 60.55.20 of the Development Code which establishes a minimum ADT of 200 vehicle trips (net addition). With the scope of this project limited to building renovation and parking improvements, staff finds that the existing transportation facilities in the vicinity have adequate capacity to serve the proposal.

Tualatin Valley Fire & Rescue (TVF&R) provides fire protection services for property in this area. Preliminary comments and conditions of approval have been received from TVF&R. Conditions of approval are stated in the TVF&R letter dated June 7, 2017. TVF&R will also review the plans prior to site development permit issuance to ensure compliance with these conditions.

With the recommended conditions of approval, the Committee finds that all critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

B. Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.

<u>Findings of Fact</u>: Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way.

Beaverton Police Department received a copy of the applicant's plans and have no concerns or recommendations to convey. The project site is also located within the Beaverton School District. In this case, with project scope limited to parking, building renovations and other minor site improvements, there are no foreseen impacts to existing school services.

The subject properties are not directly served by Tri-Met public transportation. Staff notes that the nearest transit stops are located near the intersection of SW Denney Road and SW Scholls Ferry Road, which is approximately 2/3 of a mile from the property frontage and driveway access to SW Denney Road. In this case, the project site has direct access to SW Denney Road to the north and will maintain this access. The applicant's plan also introduces a second access to subject property from the south via SW Nimbus Avenue. At this time, the applicant has control of the property to the south and there is a private vehicle access that stubs to the proposed Denney Road Commerce site. As the applicant's on-site vehicle circulation plan is designed to accommodate this access, staff proposes a condition of approval requiring a reciprocal access agreement and easement to be recorded between property owners. The reciprocal access agreement / easement will ensure the access remains open and accessible if property ownership changes in the future. This access agreement / easement is to be provided to the city prior to issuing the Site Development Permit.

Primary access to Denney Road Commerce Center is proposed from SW Denney Road which is classified as a Collector Street according to the *Beaverton Functional Classification Plan* of the Comprehensive Plan. That portion of SW Denney Road shown to abut the property frontage is maintained by the City of Beaverton. Also abutting the subject property to the north and east are the on and off-ramps for Highway 217. At this location, there is an area of excess right-of-way near the subject property that is owned and maintained by the Oregon Department of Transportation (ODOT). Staff notes that the applicant's renovation proposal has been reviewed by ODOT Region 1 staff. No comments or concern were conveyed to the city from ODOT Region 1. As the project site also abuts a rail line that is maintained ODOT, the proposal is subject to the ODOT Rail Division review and approval. To date, staff has yet to receive comments from ODOT Rail Division. Accordingly, staff proposes a condition of approval where the applicant is to provide the city a copy of issued permits or other approvals identified by ODOT Rail Division (if necessary).

SW Denney Road is improved with a two-way vehicle aisle but is not improved with bicycle lanes or sidewalks along the south side of the street. As a Collector class street, this portion of SW Denney Road does not currently meet the standards identified in Chapter 2 of the Beaverton Engineering Design Manual (Street Standards). Staff notes that the building renovation proposal for Denney Road Commerce Center does not entail redevelopment of the subject properties. With the scope of work limited to site improvements and exterior building remodel, the staff is unable to find in support of additional improvements to the street frontage of SW Denney Road. Specifically, findings required for nexus and rough proportionally in support of frontage improvements, as explained in Section 10.65 of the Development Code, are not apparent. However, staff notes that the applicant's plans identify a new pedestrian access from SW Denney Road to the project site. This access will provide a pedestrian pathway located next to the existing vehicle aisle leading to the project site. The plan is restripe the frontage road, which is currently striped to provide two travel lanes that are approximately each 12 feet wide within a paved area. As a condition of approval, the applicant is to provide plans that provide dimensional details the aisle widths and pedestrian pathway as proposed to the current SE Denney Road access. This detail is to be provided prior to issuing the Site Development Permit.

The Committee finds in support of Criterion B where it describes the availability of on-site pedestrian facilities. With the recommended conditions of approval, the Committee finds the proposal to provide required essential facilities, thereby meeting the criterion for approval.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

C. The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).

Findings of Fact: Staff cites the findings in the Code Conformance Analysis chart at the end of the report, which evaluates the project as it relates the applicable Code requirements of Chapter 20

for the Industrial (IND) zoning district, as applicable to the above mentioned criteria. As previously mentioned, the renovation proposal converts a portion of one industrial building to self-storage use and introduces new covered vehicle storage along the south and western portions of the complex. In the Beaverton Industrial zone, self-storage and vehicle storage require Conditional Use approval. This is identified in Section 20.15.20 *Land Uses* of the Beaverton Development Code. Accordingly, the applicant requests respective Conditional Use approvals for these uses. The applicant's renovation proposal does not entail exterior building changes that reduce setbacks from existing property lines. New covered vehicle storage is shown to meet the development standards identified in Section 20.15.15 (building height, setback standards). Staff notes that building and site improvements may move forward to the Site Development stage. If these site plan improvements are shown to accommodate a conditional use identified under Chapter 20 (e.g. self-storage and vehicle storage) conditional use approval will be necessary before the Site Development Permit is issued.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.

<u>Findings of Fact</u>: Staff cites the findings in the Code Conformance Analysis chart at the end of the report, which evaluates the project as it relates the applicable Code requirements of Chapter 60 for the site. Staff notes that the applicant's parking lot changes will increase the number of parking spaces currently available on-site. Staff also notes that a portion of the subject property is located within the 100-year floodplain. In this case, that portion of the subject property that is located within the 100-year flood plan is unimproved. Staff refer to Sheet G1.1 of the applicant's plan set that shows the location of the 100-year floodplain on-site. Staff observe how the floodplain is located away and outside existing improved portions of the site where the applicant proposed to renovate existing buildings and construct new boat and RV storage structures. Staff refers to the Code Conformance Analysis chart at the end of the report for supportive findings in response to Criterion D.

Therefore, the Committee finds the proposal meets the criterion for approval.

E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.

<u>Findings of Fact</u>: According to the applicant, there are no physical or other barriers that preclude access for customary maintenance and repair of applicable facilities as described in Criterion E. Staff concurs. In response to Criterion E, staff notes that some storage structures are shown to

encroach upon an existing utility easement identified to the property. The proposed boat and RV structures will need to be moved or adjusted in a way that avoids construction inside the existing utility easement. Staff proposes a condition that acknowledges the easement and prohibit structures therein. This condition does not preclude the ability to adjust or modify the location of these structures provided the plan revision is shown to comply with necessary fire lane access. The plan for moving structures would be subject to review and approval by the Fire Marshal and Chief Building Official.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

<u>Findings of Fact</u>: The applicant explains how the existing industrial use of the premises does not allow for safe pedestrian access in front of existing loading docks an aprons. The applicant explains how the plan will change these existing conditions by introducing new parking stalls that meet city standards. The applicant also explains how proposed plan will introduce a new system of pedestrian pathways. The applicant also refers to the plan proposal that introduces a new pedestrian pathway from the site to SW Denney Road. Staff finds in support of the new pedestrian pathway system if path improvements are clearly distinguished from vehicle access aisles and parking. Staff also notes that the extent of pathway improvements (e.g. concrete, pavers or striping) has not been clarified. To ensure safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development, staff recommends a condition of approval that requires scored concrete or pavers introduced to all new pedestrian pathways as shown between proposed new parking areas within the property.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

<u>Findings of Fact</u>: In reply to Criterion G, the applicant explains how the addition of pedestrian pathway is proposed from SW Denney Road. This new pedestrian pathway will provide a connection to the surrounding circulation system (primarily SW Denney Road). The applicant also explains how the plan identifies new parking spaces and how there will be sidewalk improvements introduced to the new parking plan. Staff concurs.

Therefore, the Committee finds the proposal meets the criterion for approval.

H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

<u>Findings of Fact</u>: In response to H, the applicant explains how proposed building renovations and upgrades are designed to comply with current city codes and standards. The applicant also explains how the plan will meet current fire flow requirements. Staff notes that the applicant's plans have been reviewed by the Deputy Fire Marshal of Tualatin Valley Fire & Rescue (TVF&R). Staff acknowledge the letter received from TVF&R that identifies several conditions in response to the development plan. Specifically, TVF&R has identified conditions requiring striping and signage for fire lanes. TVF&R has also proposed conditions that call for details about the operation of the fire gate as shown to the plans. Additional hydrants on-site may also be necessary. The Fire Marshal's conditions are incorporated hereto.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.

<u>Findings of Fact</u>: The applicant states that proposed site renovations and upgrades are designed to comply with current city codes and standards. Staff acknowledges the applicant's renovations to include new lighting for buildings, parking areas and pedestrian pathways. Staff acknowledge how the applicant's plans show lighting introduced to proposed sidewalks and walkways and this lighting plan will provide adequately lighting, consistent with minimum applicable Design Standards identified in Section 60.05.30 of the Development Code. Staff also observe that a portion of the new storage area is not shown for lighting improvements. This area may require some level of lighting for safety and security. Staff will address this item in response to applicable Design Review standards. Certain conditions of approval may be necessary to confirm adequacy of parking lot lighting in response to applicable Design Standard of Section 60.05.30.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

<u>Findings of Fact</u>: Staff observes the scope of work to entail renovation of existing buildings located within an existing industrial complex. Parking lot improvements are also identified as part of the project scope. Staff notes that these improvements will not entail grading or contouring of the existing property. Minor changes to existing storm water treatment facilities are necessary for compliance with CWS standards. These changes are localized to a small portion of the site and are not located in close proximity to neighboring properties. In response to Criterion J, staff finds proposed site changes will cause no adverse effect(s) on neighboring properties, the public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

Therefore, the Committee finds the proposal meets the criterion for approval.

K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.

<u>Findings of Fact</u>: The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Compliance with ADA requirements are reviewed with the Building Permit application. Staff refer to the proposed conditions by the Chief Building Official and Fire Marshal (TVF&R).

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

L. The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.

<u>Findings of Fact</u>: The application was deemed complete on May 5, 2017. In the review of the plans and materials as submitted, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, the Committee finds the proposal meets the criterion for approval.

# Code Conformance Analysis Chapter 20 Use and Site Development Requirements Industrial (IND) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
	Development	Code Sections 20.15.20	
Conditional Uses	Self-Storage Facilities and Auto / RV / Boat Storage are CU in the Industrial zone.	Applicant proposes a new self- storage facility and new vehicle / RV and boat storage facility.	Yes, if approved
	Development	Code Section 20.15.15	
Minimum Lot Area	None	17.3 acres	Yes
Minimum Lot Dimensions	Width: None Depth: None	Not applicable as there are no new lots proposed in this case.	N/A
Yard Setbacks Minimums: Front Side Rear	35 feet 10 feet None	Proposed storage structures are shown to meet these standards.	Yes
Maximum Building Height	45 feet	Proposed storage structures are shown to meet these standards.	Yes

# Chapter 60 - Special Requirements

Applicable Sections Identified Below

CODE	,	PROJECT PROPOSAL	MEETS
STANDARD	CODE REQUIREMENT	PROJECT PROFOSAL	CODE?
	Development C Design Review Sta	ode Section 60. 05 ndards and Guidelines	
Design Standards of 60.05	Several standards apply, mostly to landscape and pedestrian improvements  See separate table for this purpose in Attachment B	Proposal will be reviewed under the Design Review 3 application where applicant has identified standards and guidelines to be met. If the project does not meet the standard, the Planning Commission shall determine compliance with the guideline.	Yes, with DR approval
		Code Section 60. 25 eet Loading	
Required Loading Spaces	No loading spaces required for vehicle or self-storage facilities. Also compliance is only applicable with 25% floor area addition.	Some existing loading bays will be converted to primary entrance (persons). Several loading bays will remain and meet standards for number & berth type.	N/A
	Development C	ode Section 60. 10	
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe	n Regulations  The subject site is located in the floodplain. Proposal meets City, CWS and FEMA requirements.	Yes
	Development (	Code Section 60.30	
Minimum Off- Street Vehicular Parking Spaces	Retail: 3.3 spaces/1000 sf Service: 3.0 spaces/1000 sf Manufacturing: 1.6 spaces/1000 sf Warehousing/storage: 0.3 spaces/1000 sf	The total off-street requirement is 346 parking spaces. The new off-street parking proposal is shown to provide a total of 408 spaces.	Yes
Minimum Off- Street Bicycle Parking	11 short term spaces are required.	The plan is to provide 11 short term bicycle spaces	Yes, with COA
r Griding		Code Section 60.55 sportation	
Traffic Management Plan	Required if adding 20+ trips/hour to existing residential street by class.	Streets carrying vehicle trips related to this use are not residential streets.	N/A
Traffic Impact Analysis	Required if adding 200+ new vehicles per day in overage weekday trips, net.	The expected number of daily trips will not meet the minimum threshold of 200 ADT	N/A

Staff Report: July 19, 2017 Denney Road Commerce Center

# DR2017-0040 ANALYSIS AND FINDINGS FOR DESIGN REVIEW THREE APPROVAL

# Section 40.20.05. Design Review Applications; Purpose

The purpose of Design Review is to promote Beaverton's commitment to the community's appearance, quality pedestrian environment, and aesthetic quality. It is intended that monotonous, drab, unsightly, dreary and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by insuring that proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development.

- 3. Design Review Three
  - A. <u>Threshold.</u> An application for Design Review Three shall be required when an application is subject to applicable design guidelines and one or more of the following thresholds describe the proposal:
    - 8. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

# Section 40.20.15.3.C Approval Criteria

- C. <u>Approval Criteria.</u> In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
- 1. The proposal satisfies the threshold requirements for a Design Review Three application.

<u>Findings of Fact</u>: For this Design Review Three proposal, the applicant's plans for changing existing on-site vehicle parking, maneuvering and circulation qualifies for Design Review <u>Two</u> consideration. Because one design standard is not met, the application meets Threshold No. 8 of Design Review Three. Accordingly, the applicant's narrative addresses the corresponding Design Guideline which is the subject of Planning Commission consideration.

Therefore, staff finds that the proposal meets the threshold and criterion for approval.

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2. All City application fees related to the application under consideration by the decision making authority have been submitted.

<u>Findings of Fact</u>: The applicant paid the required fees for the Design Review Three application.

Therefore, staff finds that the proposal meets the criterion for approval.

3. For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).

<u>Findings of Fact</u>: As explained in response to Criterion No. 1 of Design Review Three approval, there is one design standard not met. Criterion No. 3 identifies threshold numbers 1 through 6. In this case, the application meets threshold <u>No. 8</u> of Design Review Three.

Therefore, staff finds the criterion not applicable.

- 4. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Guidelines if any of the following conditions exist:
  - a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or
  - b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or
  - c. The location of the existing structure to be modified is more than 300 feet from a public street.

<u>Findings of Fact</u>: According to the applicant, the proposed development cannot construct the landscape buffer that applies to property boundaries. This is the one design standard that is not met for reasons explained herein. In this case, the Beaverton Zoning Map identifies the Industrial (IND) zone to the subject property. However, a different Beaverton zone applies to properties located south of the subject site. Specifically, properties to the south are zoned Office Industrial – Washington Square (OI-WS). Staff refers to the zoning and tax map shown to Exhibit 1.2 for location. Staff also refers to the aerial and vicinity map provided in Exhibit 1.1 that shows how properties to the south are developed for same use to which the applicant requests Conditional Use approval (self-storage and vehicle storage).

Table 60.05-2 of the Beaverton Development Code identifies minimum landscape buffer requirements between contrasting zoning districts. Where the IND zone borders the OI-WS zone, Table 60.05-2 identifies application of the B3 high screen landscape buffer at a minimum width of 20 feet. Staff notes that Table 60.05-2 does not recognize certain unique circumstances that warrant reduction of the buffer width standard. The means to vary the standard is through the Design Review Three application which the applicant seeks in concert with applications for Conditional Use approval.

In response to Criterion No. 4, the applicant explains how the proposed renovation project cannot be constructed to the required B-3 high screen buffer due to the proximity of existing buildings and need for providing access between these buildings. The applicant also refers to the proposed fire lane access that will allow fire trucks to maneuver through the subject property and then south through the abutting off-site property that is zoned OI-WS.

Staff acknowledges the need for providing fire access through the subject property. The access and circulation pattern is shown to Sheet G1.1 of the applicant's plan set. In review of the applicant's plans, Tualatin Valley Fire & Rescue (TVF&R) also acknowledge the need for providing fire truck access through the subject property and support that applicant's plans for providing this access to abutting properties. Staff notes that the landscape buffer screening standards of 60.05 acknowledge an exemption where emergency access is required (60.05.15.13.A.1). Accordingly to that part of the applicant's plan that identifies the emergency access between properties, the buffer standard does not apply.

To other non-emergency access areas along the south property boundary, the applicant's plans do not introduce the B-3 the buffer to the full 20-foot width consistent with the standard identified in Table 60.05-2. However, staff observe how the applicant's plans show a reduced buffer width of five feet and how other landscaped areas will be introduced to new parking areas within the site.

Staff also observes how Criterion No. 4 refers only to Design Guidelines, specifically Sections 60.05.35 through 60.05.50 of the Development Code. In this case, the only applicable design guideline of consideration is that which has direct correlation with the landscape buffer design standard identified in Table 60.05-2 and the B-3 planting description identified Section 60.05.25.13.D. Staff acknowledges how the applicant's renovation proposal introduces a new the use to the property and how the scope of on-site improvements are significant enough to support applicability. At the same time, staff acknowledges the subject property and the abutting property (south) to be developed and that the scope of work to be performed by the applicant is limited to remodeling, partial building use conversion and parking improvements. The proposal is not a redevelopment plan. Staff also acknowledges how the abutting property to the south is developed for a use that is comparable and compatible to the applicant's Conditional Use proposal (self-storage).

For the reasons stated above, staff finds in support of Criterion No. 4, thereby concluding that proposed modifications are moving towards compliance of the specific Design Guideline under review. Specifically, staff finds in support of that part of Criterion No. 4 under b (above) where it describes ... location of existing

structural improvements prevent the full implementation of the applicable guideline. In this case, staff observe how the applicant is not proposing to redeveloped the subject site and for this reason existing buildings will remain where located. Staff finds in support of that part of Criterion No. 4 under c (above) where it describes ... location of the existing structure to be modified is more than 300 feet from a public street. In this case, buildings on the subject site are located more than 300 feet from the nearest public street.

Therefore, staff finds that the proposal meets the criterion for approval.

5. For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.

<u>Findings of Fact</u>: The applicant does not propose the DRBCP (Design Review Build-out Concept Plan). Staff confirm that the DRBCP is not applicable under the circumstances.

Therefore, staff finds the criterion is not applicable.

6. For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s).

<u>Findings of Fact</u>: The applicant has decided to address a combination of design standards and guidelines in the subject case. According to the applicant, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for one Design Standard related to landscape buffers which is identified in Section 60.05.45.11. Staff concurs. Staff also refers to the table summary *Design Review Standard Analysis* provided as part of this report for findings that support compliance with all applicable design standards.

For the one standard not met in this case, staff refer to the corresponding design guideline found in Section 60.05.45.11 (A through D) of the Development Code. Staff also acknowledge the applicant's response provided to this design guideline which is found on pages 46 and 47 of the VLMK narrative.

In short, the applicant explains how the buffer width is proposed at five feet instead of standard twenty feet. The applicant also notes how the proposed commerce center will be similar in nature to the adjacent business park to the south. Staff notes that the corresponding guideline to landscape buffer standard does not identify the numeric requirement. Accordingly, the Planning Commission has

discretion to apply in response to the applicant's plan for buffer screening. In review of the proposal, staff observes how the text of the buffer <u>guideline</u> specifically refers to screening that should be provided *between non-residential land uses and residential land use uses*. Staff finds this text to be significant in review of the applicant's five-foot buffer screen proposal as there are no residential uses along the south property line. Another part of the guideline text refers to screening as appropriate *when potential impacts of a Conditional Use are determined*. In this case, staff observes the abutting property to be zoned OI-WS and to contain a similar use. Staff also observes no apparent or potential impacts of the proposed Conditional Use. For this reason, staff supports the applicant's five-foot buffer screen proposal as shown to the landscape plan as part of the set (Sheet L1.0).

Therefore, staff finds that the proposal meets the criterion for approval.

7. For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address Design Guidelines only, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).

<u>Findings of Fact</u>: The applicant has one of two options. In this case, the applicant has decided to address a combination of design standards and guidelines as described under Threshold No. 6. The applicant has decided not to address Design Guidelines as Threshold No. 7 (above) describes.

Therefore, staff finds the criterion is not applicable.

8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

<u>Findings of Fact</u>: The applicant has submitted this Design Review Three application with the Conditional Use applications identified for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of review.

Therefore, staff finds that the proposal meets the criterion for approval.

# **Recommendation**

Based on the findings of fact presented, staff recommends APPROVAL of DR2017-0040 (Denney Road Commerce Center) subject to conditions of approval identified in Attachment C.

# <u>Design Review Standards Analysis</u> Section 60.05.15 Building Design and Orientation

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	Building Articulation and Variety	
60.05.15.1.B Street facing building elevations - min 15% articulation	Building subject to change must be visible from and located within 200 feet of adjacent public street SW Denney Road is the nearest public street and situated 200+ feet away.	N/A
60.05.15.1.C Max 60' between architectural features	Architectural features are no more than sixty feet apart.	YES
	Roof Forms	
<b>60.05.15.2.A</b> Min roof pitch = 4:12	All proposed buildings have a minimum roof pitch of 4/12.	N/A
<b>60.05.15.2.B</b> Min roof eave = 12"	All pitched roofs have minimum projection of 12 inches.	N/A
60.05.15.2.C Flat roofs need parapets	Applicant's plans introduce cornice to top of walls in response to design standard.	Yes
	Primary Building Entrances	
<b>60.05.15.3</b> Weather protection for primary entrance	The applicant has designed the buildings so that all primary entrances provide weather protection in accordance with this standard. See new canopy additions.	YES
	Exterior Building Materials	
60.05.15.4.B Appropriate methods of architectural treatment	Building façade changes introduce steel canopies and painted exposed aggregate surfaces.	YES
	Roof-Mounted Equipment	
60.05.15.5.A through C Equipment screening	Roof mounted equipment is not proposed.	N/A

# Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
C	onnections to the public street system	
60.05.20.1 Connect on-site circulation to existing and planned street system.	The existing site is accessed by two-lane drive aisle. Proposal includes new pedestrian connection to existing public street (Denney Road). This connection does not exist at this time.	YES
Loading Area	s, solid waste facilities and similar improve	ments
60.05.20.2.A-D Screening of loading and waste facilities screened from view from public street.	Trash containers cannot be seen from nearest public street.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	Pedestrian Circulation	
60.05.20.3.A  Link to adjacent pedestrian facilities consistent with City Comp Plan.	Future pedestrian links identified by the City Comp Plan are not applied to this property.	N/A
60.05.20.3.B Direct walkway connection between site and public / private streets.	New pedestrian access is proposed from project site to SW Denney Road and within parking lot areas. New internal connections are proposed. Certain pedestrian-only accesses within the property are not introduced due to industrial use of the site.	YES
60.05.20.3.C  Walkways every 300'- for public street frontage	Pedestrian access is proposed from project site to SW Denney Road. Street frontage has considerable slope for second access.	YES
60.05.20.3.D  Physical separation of pedestrian connections through parking	New internal connections are proposed. Certain pedestrian-only accesses within the property are not introduced due to industrial use of the site.	YES
60.05.20.3.E Distinct paving	The applicant proposes concrete pathways, distinct from existing asphalt.	YES
<b>60.05.20.3.F</b> 5' minimum width	The proposed pedestrian walkways are a minimum of 5' in width.	YES
	Street Frontages and Parking Areas	
60.05.20.4.A Parking screen from public view / street frontage	Parking lots associated with this development are not situated along public streets.	N/A
	Parking and Landscaping	
<b>60.05.20.5.AD</b> Parking area landscaping	New landscape islands are propose where new on-site parking is introduced, internal to the site. The applicant's plans demonstrate compliance with the code standard which calls for a minimum area of 70 square feet. Certain planting requirements apply.  Also, standards in this section call for one landscape island introduced for every 12 parking spaces. The applicant's plan (Sheet G1.1) illustrates compliance with this standard. Staff also refer to the applicant's landscape plan for this purpose, Sheets L1.1 and L1.2.	YES

# Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	Minimum Landscaping	
60.05.25.5 A & B Landscape and Open Space %	The standard calls for a minimum of 15% landscape base on the gross site area. The applicant explains how the renovation proposal will provide an accumulative landscape coverage of approximately 18%.  The applicant also describes the planting	YES
Open Space 70	plan introduced as part renovation proposal and how this is consistent with specific minimum tree number and planting specifications.	
	Retaining Walls	
60.05.25.8 Retaining Walls	Walls are not identified / necessary.	N/A
	Fences and Walls	
<b>60.05.25.9</b> Fences and Walls	Fences specifications have not been identified. The applicant explains that fences will be vinyl coated chain-link to meet the standard.	YES
Minimize Signif	icant Changes To Existing On-Site Surface ( At Residential Property Lines	Contours
60.05.25.10 Minimize grade changes	Grading (very limited in this case) is not in proximity to residential properties to warrant review of maximum grade differential standards.	N/A
Integr	ate water quality, quantity, or both facilities	
60.05.25.11 Location of facilities	Above ground water quality facilities are located in two tracts and are not located in front yards of buildings.	YES
	Natural Areas	
60.05.25.12 Encroachment into buffer areas.	Clean Water Services (CWS) has issued a Service Provider Letter for the proposed renovation. Staff refer to Sheets L1.1 and L1.2 for certain areas of the project site that are within close proximity to natural / sensitive areas. Staff observe the applicant's vegetated corridor enhancement plan (added landscape) shown to meet CWS standards.	YES
	Landscape Buffering Requirements	Plan does not
60.05.25.13.C Landscape buffering between contrasting zoning districts	Abutting properties to the south are zoned OI-WS. As explain, standard calls for B-3 high screen buffer which the plan does not introduce.	meet. This is the subject of DR-3. See guideline.

# Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-s	ite lighting and minimize glare on adjoining p	properties
60.05.30.1.A-D Lighting complies with the City's Technical Lighting Standards	New parking / circulation areas within the industrial complex will be illuminated at night. Property boundaries are located at distance from nearest residential areas.	YES
	Pedestrian-scale on-site lighting	
<b>60.05.30.2.A-C</b> Pedestrian Lighting	No pedestrian plazas are proposed. However, pedestrian pathways crossing proposed vehicle aisle will be illuminated at night. See plan sheet SL1.1 for photometric and foot-candle levels.	YES

# Section 60.05.45 Landscape Buffer <u>Guidelines</u>

DESIGN GUIDELINE	Guideline
La	Indscape buffer to adjoining properties
	A. landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening.
60.05.45.11. A, B, C & D Landscape Buffer Guidelines that correspond to Standard found in 60.05.25.11  See findings in response	B. When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate.
to Design Review 3 approval criteria (Criterion No. 6)	C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood.
	D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction.

# CU2017-0006 ANALYSIS AND FINDINGS FOR CONDITIONAL USE APPROVAL – VEHICLE STORAGE YARD

### Section 40.15.15.3.C New Conditional Use Approval Criteria:

In order to approve a New Conditional Use application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Conditional Use application.

<u>Findings of Fact</u>: The applicant proposes to convert a portion of paved area within the existing industrial park to a vehicle storage yard in the Industrial Zoning District (IND). Per Section 20.15.20.7.H of the Development Code, the *Vehicle Storage Yard* use category is a Conditional Use in the IND zone. A Vehicle Storage Yard does not currently exist on the subject site. Therefore, the proposal satisfies the threshold for a New Conditional Use application, as noted above.

Therefore, staff finds the proposal meets the criterion for approval.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

<u>Findings of Fact</u>: The applicant paid the required fee associated with a New Conditional Use application.

Therefore, staff finds the proposal meets the criterion for approval.

3. The proposal will comply with the applicable policies of the Comprehensive Plan.

Findings of Fact: The applicant's response to Criterion No. 3 states that the proposal will comply with the applicable policies of the Comprehensive Plan. As part of the Pre-Application Conference associated with this request, staff identified certain Comprehensive Plan policies that could be subject to consideration, depending on the scope of work to be performed under subsequent land use application. The applicant's narrative prepared by VLMK responds to these policies (found under Tab 17 of the combined materials set). Staff notes that certain policies are related <a href="new development">new development</a> within industrial zones. Staff acknowledge the limited scope of this proposal and how the renovation project is not new development. Staff also acknowledge certain policies that relate to traffic circulation and parking. In this case, staff observes how the Facilities Review criteria (40.03) contains similar but stronger text and is more specific to the applicant's renovation proposal. For this reason, staff incorporates the findings stated herein for Facilities Review in support of Criterion No. 3. Staff also incorporates the applicant's response to the Comprehensive Plan policies identified under Tab 17 of the VLMK narrative.

Therefore, staff finds the proposal meets the criterion for approval.

4. The size, dimensions, configuration, and topography of the site and natural and manmade features on the site can reasonably accommodate the proposal.

<u>Findings of Fact</u>: In response to Criterion No. 4, the applicant identifies the limited extent of work to be performed on-site. Staff observes how the vehicle storage proposal is localized to one portion of the property and how this portion of the property is not currently utilized for off-street parking or another known use. In review of the applicant's plans, staff finds size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.

Therefore, staff finds the proposal meets the criterion for approval.

 The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.

<u>Findings of Fact</u>: The applicant refers to the limited scope of construction associated with the proposed Conditional Use. Staff finds the site location and functional characteristics (industrial) to be appropriate for the proposed use (vehicle storage) that is subject to this Conditional Use proposal. Staff also acknowledge how the applicant's site plan has identified the location where vehicles will be stored. As explained in this report, the subject properties are fully developed with five industrial buildings on site. Staff also observe how the closest residential properties are located on the west side of Fanno Creek, at considerable distance from the industrial park, and how activity within the industrial park is already visually screened by trees and vegetation within the Fanno Park Greenway. These reasons, staff finds that the size, location and functional characteristics of the proposal are reasonably compatible with and have minimal impact on surrounding uses.

Therefore, staff finds the proposal meets the criterion for approval.

Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

<u>Findings of Fact</u>: The applicant submitted the application for a Conditional Use in concert with another Conditional Use application. These applications are separate though sought concurrently with the Design Review 3 application.

Therefore, staff finds the proposal meets the criterion for approval.

# **Recommendation**

Based on the facts and findings presented, staff recommends APPROVAL of CU2017-0006 (Denney Road Commerce Center - Vehicle Storage), subject to the conditions of approval in Attachment.

# CU2017-0007 ANALYSIS AND FINDINGS FOR CONDITIONAL USE APPROVAL - SELF-STORAGE

#### Section 40.15.15.3.C New Conditional Use Approval Criteria:

In order to approve a New Conditional Use application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Conditional Use application.

<u>Findings of Fact</u>: The applicant proposes to convert a portion of an existing building to accommodate a new self-storage business. According to Section 20.15.20.5.B of the Development Code, *Self-Storage Facilities* are a Conditional Use of the Industrial zone. Self-Storage does not currently exist on the subject site. Staff acknowledges the prior Conditional Use application by U-Haul (CU2016-0008) on the same site that the Planning Commission approved on November 30, 2016 (Order No. 2517). The Conditional Use proposal by U-Haul identified a different building for partial conversion. Staff notes that the U-Haul proposal did not transpire. With this Conditional Use approval, the prior Conditional Use approval for U-Hall would become null and void.

Therefore, staff finds the proposal meets the criterion for approval.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

Findings of Fact: The applicant paid the required fee associated with a Conditional Use application.

Therefore, staff finds the proposal meets the criterion for approval.

3. The proposal will comply with the applicable policies of the Comprehensive Plan.

<u>Findings of Fact</u>: The applicant's response to Criterion No. 3 states that the proposal will comply with the applicable policies of the Comprehensive Plan. Staff observes the same applicant statement as prepare in response to the associated Vehicle Storage Yard proposal. Staff refer to and incorporate the response provided to the applicant's separate Conditional Use proposal.

Therefore, staff finds the proposal meets the criterion for approval.

The size, dimensions, configuration, and topography of the site and natural and manmade features on the site can reasonably accommodate the proposal.

<u>Findings of Fact</u>: The applicant states the proposed project is an interior renovation and no changes are proposed to the existing structure. Staff refer to and incorporate the response provided to the applicant's separate Conditional Use proposal (for Vehicle Storage Yard) to find that the size, dimensions, configuration and topography of the site and natural and manmade features on the site can reasonably accommodate the proposal.

Therefore, staff finds the proposal meets the criterion for approval.

5. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.

<u>Findings of Fact</u>: The applicant states that the project is an interior renovation and no changes are proposed to the existing structure. Staff refer to and incorporate the response provided to the applicant's separate Conditional Use proposal (for Vehicle Storage Yard) to find that the size, location and functional characteristics of the proposal are reasonably compatible with and have minimal impact on surrounding uses.

Therefore, staff finds the proposal meets the criterion for approval.

6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

<u>Findings of Fact</u>: The applicant submitted this application for a Conditional Use in concert with another application for Conditional Use and with the Design Review 3 application.

Therefore, staff finds the proposal meets the criterion for approval.

#### **Recommendation**

Based on the facts and findings presented, staff recommends APPROVAL of CU2017-0007 (Denney Road Commerce Center - Self Storage), subject to the conditions of approval in Attachment C.

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#### **CONDITIONS OF APPROVAL**

Staff recommends the following conditions of approval.

<u>CU2016-0006</u> and <u>CU2017-0007</u> — <u>Conditional Use applications</u> (\*separate Orders would show same conditions, except Condition No. 4 — as proposed):

- In accordance with Section 50.90.1 of the Development Code, Conditional Use approval shall expire 2 years after the date of approval unless, prior to that time, a construction permit has been issued and substantial construction pursuant thereto has taken place, or an application for extension has been filed, pursuant to Section 50.93 of the Development Code. (Planning/SW)
- 2. The Conditional Use permit shall run with the land and shall continue to be valid upon a change of ownership of the site or structure unless otherwise specified in conditions attached to the permit. (Planning/SW)
- Conditional Use approval recognizes the reciprocal access agreement and easement for ensuring vehicle access availability to the south (Tax Lot 500 of Washington County Map 1S1-22DD). The reciprocal access agreement / easement shall run with the land associated with this Conditional Use approval, in the event that property ownership changes in the future. (Planning/SW)
- 4. For CU 2017-0006 Vehicle Storage: Conditional Use approval acknowledges the need for adjusting the position of vehicle storage structures to avoid construction over an existing utility easement. These structures can be adjusted or modified within the same portion of the site.

\*For CU 2017-0007 Self-Storage: Conditional Use approval acknowledges the location of self-storage identified to the applicant's site plan, Sheet G1.1, to that portion of Building No. 4. Prior Conditional Use approval for U-Haul under CU2016-0008, Commission Order No. 2517, is null and void through this Conditional Use approval.

# <u>DR2017-0040 – Design Review 3 application:</u>

- A. Prior to any work starting on site associated with issuance of a Site Development Permit, the applicant shall:
  - 1. Submit the required plans, application form, fee, and other items needed for a complete Site Development Permit application per the applicable review checklist. (Site Development Div./JJD)
  - Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (April 2017, Resolution and Ordinance 2017-05), and the City

- Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
- 3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
- 4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality) facilities, CWS vegetative corridor enhancements & plantings, private streets, and common driveway/emergency access paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
- 5. Submit all required off-site easements, quit claim deeds, and on-site easements executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
- 6. Submit to the City a copy of issued permits or other approvals if needed from the Oregon Department of Transportation (ODOT) for work within, and/or construction access to affected ODOT property. (Site Development Div./JJD)
- 7. Submit to the City a copy of issued permits or other approvals if needed from the Oregon Department of Transportation Rail Division (Dave Lanning at 503.986.4267) for work within 500 feet of the rails. (Site Development Div./JJD)
- 8. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
- 9. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official and Fire Marshal, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer (meeting the standards set by the City Engineer as specified in the Engineering Design Manual Chapter 6, 610.L). The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD)
- 10. Submit a copy of issued permits or other approvals needed from the Clean Water Services District for storm system connections, and any construction directly affecting an Agency sanitary-sewer main. (Site Development Div./JJD)
- 11. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the standard plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div./JJD)

- 12. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report, demonstrating compliance with CWS Resolution and Order 2017-05 in regard to water quality treatment. (Site Development Div./JJD)
- 13. Provide a detailed drainage analysis of the subject site and prepare a final report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. On all plan sheets that show grading and elevations, the 100 year inundation level shall be identified. (Site Development Div./JJD)
- 14. Obtain the City Building Official's review approval of the proposed site utility plan if required by OAR 918-780-0040, for private plumbing needed to serve the private water, backflow prevention, storm and sanitary sewer systems outside the proposed building. (Site Development Div./JJD)
- 15. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD)
- 16. Submit to the City a certified impervious surface determination of the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking lots and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site. (Site Development Div./JJD)
- 17. Pay a storm water system development charge (overall system conveyance and quantity) for any net new impervious area proposed for any phase. Additionally, the project shall pay a storm water quality (summer treatment) in-lieu of fee for any impervious area determined by the City Engineer not to practical to provide treatment in any single phase per Clean Water Services standards. (Site Development Div./JJD)
- 18. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement for the private storm water treatment facilities, with maintenance plan and all standard exhibits, including site legal description, ready for recording with Washington County Records. (Site Development Div./JJD)
- 19. Provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. No overhead services shall remain on the site. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either

- undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
- 20. Ensure storage structures are not shown to encroach the existing utility easement shown to cross the subject site. This condition does not preclude the ability to more the structures elsewhere on site provided the plan revision is shown to comply with necessary fire lane access. The plan for moving structures would be subject to review and approval by the Fire Marshal and Chief Building Official. (Site Development Div./JJD / Planning / SW)
- 21. Provide a reciprocal access agreement and easement for ensuring vehicle access availability to the south (Tax Lot 500 of Washington County Map 1S1-22DD). A draft of the reciprocal access agreement / easement is to be reviewed and approved by the City Attorney. Thereafter, agreement / easement is to be recorded apply for mutual benefit of abutting property owners. A copy of the recorded access agreement / easement is to be provided to the city prior to issuing the Site Development Permit (Planning / SW)
- 22. Ensure that Design Review and Conditional Use approvals have not expired. In accordance with Section 50.90.1 of the Development Code, Design Review and Conditional Use approval shall expire after two (2) years from the date of approval unless prior to that time a construction permit has been issued and substantial construction pursuant thereto has taken place, or an application for extension is filed pursuant to Section 50.93, or that authorized development has otherwise commenced in accordance with Section 50.90.3.B. (Planning/SW)
- 23. The proposed project shall comply with the State of Oregon Building Code in effect as of date of application for the building permit. This currently includes the following: The 2012 edition of the International Building Code as published by the International Code Conference and amended by the State of Oregon (OSSC); The 2009 edition of the International Residential Code as published by the International Code Conference and amended by the State of Oregon (ORSC); 2012 International Mechanical Code as published by the International Code Council and amended by the State of Oregon (OMSC); the 2012 edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials and amended by the State of Oregon (OPSC); the 2014 edition of the National Electrical Code as published by the National Fire Protection Association and amended by the State of Oregon; and the 2012 International Fire Code as published by the International Code Council and amended by Tualatin Valley Fire and Rescue (IFC).(Building / BR)
- 24. Projects involving new buildings and additions are subject to System Development fees. A list of the applicable fees is available at the Building Division counter or may be printed from the Forms/Fee Center at <a href="https://www.beavertonoregon.gov">www.beavertonoregon.gov</a>. (Building / BR)
- 25. Ensure fire apparatus access roads have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1) (TVF&R / JF)
- 26. Ensure fire apparatus access roadway curbs are painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of

- not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3) (TVF&R / JF)
- 27. Ensure fire apparatus access roads are constructed with all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) (TVF&R / JF)
- 28. Ensure vehicle inside turning radius and outside turning radius of drive aisles not less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3) (TVF&R / JF)
- 29. Ensure gates securing fire apparatus roads comply with all of the following (OFC D103.5, and 503.6): A) Minimum unobstructed width of not less than 20 feet (or the required roadway surface width). B) Set back distance minimum of 30 feet from the intersecting roadway or as approved, an C) Equipped with a means for operation by fire department personnel. (TVF&R / JF)
- 30. Ensure the electric automatic gate operates in compliance with ASTM F 2200 and UL 325. (TVF&R / JF)
- 31. Provide plans that show that the proposed pedestrian path along the Denney frontage road complies with applicable Design Review Guidelines and Engineering Design Manual Provisions for required width. The city acknowledges the use striping to distinguish the pedestrian path from the vehicle aisle. (Transportation/KR)
- 32. Provide plans that show that where new internal pedestrian pathways cross vehicular pathways the pathways will be constructed of scored concrete or modular paving materials to distinguish them from the asphalt parking field. (Transportation/KR)
- 33. Provide plans that show that new internal pedestrian pathways are lighted to at least 0.5 foot-candles. (Transportation/KR)

# B. Prior to Building Permit issuance, the applicant shall:

- 34. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
- 35. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)
- 36. Provide proof of recording the necessary documents associated with the project, including any necessary easement quit claim deeds and a filed survey consistent with the approved site plan. (Site Development Div./JJD)

## C. Prior to final permit inspection or structure occupancy, the applicant shall:

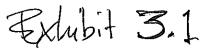
- 37. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
- 38 Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
- 39. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div./JJD)
- 40. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
- 41. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if a Source Control Sewage permit is required, as determined by CWS. (Site Development Div./JJD)
- 42. Maintain all existing fire lanes, hydrants and fire department connections. Any modifications necessary in constructing the parking garage will require fire department approval. (TVF&R / JF)
- 43. Ensure ground cover plantings are installed at a maximum of 30 inches on center and 30 inches between rows. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum 4 inch size container, or a 2-1/4 inch container if planted 18 inches on-center. (Planning/SW)
- 44. Ensure all site improvements, including landscaping are completed in accordance with landscape plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/SW)
- 45. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/SW)
- 46. Ensure construction of all exterior lighting is completed in accordance with the plans and fixture details marked "Exhibit C", except as modified by the decision making authority in conditions of approval (On file at City Hall). Public view of exterior light sources such as lamps and bulbs, is not permitted from streets and abutting properties at the property line. Illumination of internal light fixtures shall meet the minimum 1.0 foot-candle standard within the site boundaries and shall be reduced to 0.5 foot-candle level (or lower) at the property boundary. (Planning/SW)
- 47. Ensure deciduous or evergreen shrubs are installed at a minimum, using one-gallon containers or 8 inch burlap balls with a minimum spread of 12 inches to 15 inches. (Planning/SW)
- 48. Ensure all new landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided

- that temporary above-ground irrigation is provided for the establishment period. (Planning/SW)
- 49. Ensure that all walkways and pathway connections into the parking lot are constructed with scored concrete or modular paving patterns, including ramps as necessary. ADA standards shall apply. (Planning/SW)
- 50. Ensure fire apparatus access roadways are installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1) (TVF&R / JF)
- 51. Provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B. (TVF&R / JF)
- 52. Ensure on-site fire hydrants and mains are provided. (OFC 507.5.1) This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system. The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code. (TVF&R / JF)

# D. Prior to release of performance security, the applicant shall:

- 53. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
- 54. Submit any required on-site easements not already granted, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
- 55. Provide evidence of a post-construction cleaning, system maintenance, and StormFilter recharge/replacement per manufacturer's recommendations for the project's proprietary storm water treatment systems by a CONTECH qualified maintenance provider as determined by the City Engineer. Additionally, another servicing report from the maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./JJD)

56. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment/replacement of the vegetation and restoration of full function within the CWS vegetated corridor area, as determined by the City Engineer. If the plants are not well established or the facility not properly functioning (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Div./JJD)



www.tvfr.com



June 7, 2017

Scott Whyte Senior Planner City of Beaverton 12725 SW Millikan Way Beaverton, OR 97005

RE: DR2017-0015 DENNEY ROAD COMMERCE

Dear Scott Whyte,

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. These notes are provided in regards to the plans on 6/1/2017. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

- FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE: Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1) All fire lanes must meet these requirements.
- 2. <u>PAINTED CURBS</u>: Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3) *All fire lanes are to be delineated with painted curbing and/ or striping.*
- 3. SURFACE AND LOAD CAPACITIES: Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) All fire lanes must meet these requirements.
- 4. <u>TURNING RADIUS</u>: The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3) All fire lanes must meet this requirement.

- 5. **GATES:** Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):
  - 1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width).
  - 2. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
  - 3. Electric gates shall be equipped with a means for operation by fire department personnel
  - 4. Electric automatic gates shall comply with ASTM F 2200 and UL 325.

    The proposed fire access gate will need to be reviewed at site development submittal. Provide sufficient details to ensure compliance with the above.
- 6. <u>ACCESS DURING CONSTRUCTION</u>: Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
- 7. FIRE FLOW WATER AVAILABILITY: Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B) Fire flow calculations for the building with the new addition will be required at site development review time.
- 8. <u>FIRE HYDRANTS COMMERCIAL BUILDINGS</u>: Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
  - This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
  - The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.

If you have questions or need further clarification, please feel free to contact me at 503-259-1414.

Sincerely,

Jeremy Foster

Jeremy Foster Deputy Fire Marshal II